

and members of the Ladies in White (Damas de Blanco).

**SENATE RESOLUTION 355—HONORING THE MEMORY OF SPECIAL AGENT JARED FRANCOM OF THE OGDEN, UTAH POLICE DEPARTMENT**

Mr. HATCH (for himself and Mr. LEE) submitted the following resolution; which was considered and agreed to:

S. RES. 355

Whereas, on January 4, 2012, Special Agent Jared Francom of the Ogden, Utah Police Department, serving on the Weber-Morgan Narcotics Strike Force, was fatally wounded in a shooting while serving a search warrant on a residence in Ogden;

Whereas Officers Michael Rounkles, Kasey Burrell, and Shawn Grogan of the Ogden Police Department were also wounded in the shooting;

Whereas Sergeant Nate Hutchinson of the Weber County Sheriff's Office was also wounded in the shooting;

Whereas Officer Jason Vanderwarf of the Roy Police Department was also wounded in the shooting;

Whereas the officers on the Weber-Morgan Narcotics Task Force acted quickly and bravely to subdue the shooting suspect, preventing further injury and loss of life;

Whereas Officer Kasey Burrell remains in the hospital recovering from serious injuries sustained in the shooting;

Whereas Special Agent Francom served with the Ogden Police Department for 8 years;

Whereas Special Agent Francom served the Ogden community with honor and distinction;

Whereas the people of Utah have come together to mourn and honor Special Agent Francom, with an estimated 4,000 people attending the funeral of Special Agent Francom on January 11, 2012, in Ogden; and

Whereas the injury or loss of any police officer is a reminder of the risks taken by all the men and women of law enforcement on behalf of their communities: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and honors the sacrifice of Special Agent Jared Francom;

(2) extends the deepest condolences of the Senate to the family and friends of Special Agent Francom;

(3) expresses the wishes of the Senate for a full and speedy recovery of all the officers wounded in the shooting in Ogden, Utah; and

(4) recognizes the remarkable courage and honor that the men and women in law enforcement display and the risks those men and women take to keep their communities safe.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1469. Mr. REID (for Mrs. BOXER) proposed an amendment to the bill S. 2039, to allow a State or local government to construct levees on certain properties otherwise designated as open space lands.

**TEXT OF AMENDMENTS**

**SA 1469.** Mr. REID (for Mrs. BOXER) proposed an amendment to the bill S. 2039, to allow a State or local government to construct levees on certain properties otherwise designated as open space lands; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. LEVEES.**

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency; and

(2) the term “covered hazard mitigation land” means land—

(A) acquired and deed restricted under section 404(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(b)) before, on, or after the date of enactment of this Act; and

(B) that is located—

(i) in North Dakota; and

(ii) in a community that—

(I) is participating in the National Flood Insurance Program on the date on which a State, local, or tribal government submits an application requesting to construct a permanent flood risk reduction levee under subsection (b); and

(II) certifies to the Administrator and the Chief of Engineers that the community will continue to participate in the National Flood Insurance Program.

(b) AUTHORITY.—Notwithstanding clause (i) or (ii) of section 404(b)(2)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(b)(2)(B)), the Administrator shall approve the construction of a permanent flood risk reduction levee by a State, local, or tribal government on covered hazard mitigation land if the Administrator and the Chief of Engineers determine, through a process established by the Administrator and Chief of Engineers and funded entirely by the State, local, or tribal government seeking to construct the proposed levee, that—

(1) construction of the proposed permanent flood risk reduction levee would more effectively mitigate against flooding risk than an open floodplain or other flood risk reduction measures;

(2) the proposed permanent flood risk reduction levee complies with Federal, State, and local requirements, including mitigation of adverse impacts and implementation of floodplain management requirements, which shall include an evaluation of whether the construction, operation, and maintenance of the proposed levee would continue to meet best available industry standards and practices, would be the most cost-effective measure to protect against the assessed flood risk and minimizes future costs to the federal government;

(3) the State, local, or tribal government seeking to construct the proposed levee has provided an adequate maintenance plan that documents the procedures the State, local, or tribal government will use to ensure that the stability, height, and overall integrity of the proposed levee and the structure and systems of the proposed levee are maintained, including—

(A) specifying the maintenance activities to be performed;

(B) specifying the frequency with which maintenance activities will be performed;

(C) specifying the person responsible for performing each maintenance activity (by name or title);

(D) detailing the plan for financing the maintenance of the levee; and

(E) documenting the ability of the State, local, or tribal government to finance the maintenance of the levee.

(c) MAINTENANCE CERTIFICATION.—

(1) IN GENERAL.—A State, local, or tribal government that constructs a permanent flood risk reduction levee under subsection (b) shall submit to the Administrator and the Chief of Engineers an annual certification indicating whether the State, local,

or tribal government is in compliance with the maintenance plan provided under subsection (b)(3).

(2) REVIEW.—The Chief of Engineers shall review a certification submitted under paragraph (1) and determine whether the State, local, or tribal government has complied with the maintenance plan.

**NOTICES OF HEARINGS**

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, February 2, 2012 at 10 a.m. in SD-430 to conduct a hearing entitled “Innovations in College Affordability.”

For further information regarding this meeting, please contact the committee on (202) 224-5501.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, February 16, 2012, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the U.S. Department of Energy's budget for fiscal year 2013.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to [Abigail\\_Campbell@energy.senate.gov](mailto:Abigail_Campbell@energy.senate.gov).

For further information, please contact Jennifer Nekuda Malik at 202-224-5479 or Abigail Campbell at 202-224-1219.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, February 28, 2012, at 10:00 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the President's fiscal year 2013 proposed budget for the Department of the Interior.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to [Jake\\_McCook@energy.senate.gov](mailto:Jake_McCook@energy.senate.gov).